

REMARKS

The undersigned thanks Examiner Patel for reviewing the present application.

In a March 9, 2006 final Office action (the "Office Action"), the Examiner rejected claims 1 and 3-16 under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 6,633,240 ("Sweatt") in view of U.S. Patent No. 5,291,208 ("Young"); rejected claim 2 under 35 U.S.C. §103(a) as unpatentable over Sweatt, in view of Young, and further in view of U.S. Patent No. 6,172,431 ("Honeyman"); and also rejected claims 5-6 and 14-15 under 35 U.S.C. §103(a) as unpatentable over Sweatt, in view of Young, and further in view of Publication No. 0075155 A1 ("Guillory").

Upon entry of the present Amendment and Response, claims 1-21 are pending, with claims 17-21 being newly added. No new matter has been added by these amendments. As the Office Action is a final Office action, along with this Amendment and Response, the undersigned is filing a request for continued examination in compliance with 37 C.F.R. §1.114. Based on the above amendments and the below remarks, the undersigned is of the opinion that all pending claims are in condition for allowance, and respectfully requests that the Examiner issue a notice of allowance.

§103 REJECTIONS

The Examiner is respectfully requested to reconsider and withdraw the §103 rejections of claims 1-16 at pages 2-6 of the Office Action. Two of the four references cited by the Examiner in support of the rejections are not prior art to the rejected claims. Sweatt, which the Examiner relies on in rejecting claims 1 – 16, is not prior art to any of these claims. Similarly, Honeyman, which the Examiner also relies on in rejecting claim 2, is not prior art to claim 2.

Claims 1-16 are all entitled to effective filing dates that predate the prior art dates for one or both of Sweatt and Honeyman. Sweatt was filed March 25, 2002 and issued October 14, 2003, and Honeyman was filed May 18, 1999 and issued January 9, 2001. The present application, although filed September 26, 2003, is a continuation-in-part of U.S. Application No. 09/868,290, filed June 15, 2001 (now U.S. Patent No. 6,674,625), which is a national phase application of International Application No. PCT/US00/00168, filed January 5, 2000, which claims the benefit of U.S. Provisional Application No. 60/114,832, filed January 6, 1999.

Claims in a continuation-in-part application are entitled to the effective filing dates of earlier related U.S. and international applications if they are "fully supported under 35 U.S.C. 112 by the earlier parent application." M.P.E.P. §706.02. As shown by the below charts, claims 1-3 are fully supported under §112 by U.S. Provisional Application No. 60/114,832, and claims 4-16 are, at a minimum, fully supported by International Application No. PCT/US00/00168.¹

Claim 1	60/114,832
A response system, comprising:	
(a) a regional transmitter for transmitting a control signal;	See, e.g., p. 12, ll. 16–21; Fig. 9, ref. 104.
(b) a plurality of receivers adapted to receive the control signal;	See, e.g., p. 12, ll. 16–17; Fig. 9, ref. 102.
(c) at least one automatic response device, each automatic response device associated with one of the receivers and adapted to perform a function; wherein performing the function affects the position and/or orientation of the automatic response device.	See, e.g., p. 9, ll. 3–16; Figs 1–8.

¹ One or more of claims 4-16 are also fully supported by U.S. Provisional Application No. 60/114,832.

Claim 2	60/114,832
The response system of Claim 1, wherein the control signal is an infrared signal.	See, e.g., p. 15, ll. 3–6.
Claim 3	60/114,832
The response system of Claim 1, wherein the control signal is radio frequency signal.	See, e.g., p. 15, ll. 3–6.
Claim 4	PCT/US00/00168
A monitoring and response system, comprising:	
(a) a monitoring device for detecting at least one condition;	See, e.g., p. 7, ll. 25–26; Fig. 1, ref. 14.
(b) a plurality of regional transmitters adapted to transmit control signals to a geographic area	See, e.g., p. 7, ll. 25–26; Fig. 1, ref. 12.
(c) a plurality of receivers adapted to receive the control signal; and	See, e.g., p. 11, ll. 8–11; Fig. 4, ref. 24.
(d) at least one automatic response device, each automatic response device associated with one of the receivers and adapted to perform a function; wherein performing the function affects the position and/or orientation of the automatic response device.	See, e.g., p. 11, ll. 12–14; p. 14, ll. 4–9; Fig. 4, ref. 16.

Claim 5	PCT/US00/00168
The monitoring and response system of Claim 4, wherein at least two of the plurality of regional transmitters transmit control signals to different portions of the geographic area.	See, e.g., Fig. 1, ref. 12.
Claim 6	PCT/US00/00168
The monitoring and response system of Claim 5, wherein at least two of the plurality of regional transmitters transmit control signals to different portions of the geographic area using the same control signal.	See, e.g., p. 8, l. 28 – p. 9, l. 1.
Claim 7	PCT/US00/00168
The monitoring and response system of Claim 4, wherein the monitoring device is adapted to detect at least one environmental condition.	See, e.g., p. 3, ll. 18–24.
Claim 8	PCT/US00/00168
The monitoring and response system of Claim 7, wherein the monitoring device is adapted to receive notifications from a weather monitoring and notification service.	See, e.g., p. 9, ll. 3–7.
Claim 9	PCT/US00/00168
The monitoring and response system of Claim 4, wherein the monitoring device monitors at least one condition by monitoring precursor conditions.	See, e.g., p. 3, ll. 18–26.

Claim 10	PCT/US00/00168
A method for a service provider to provide notification service to at least one location having an automatic response device, the method comprising:	
a. monitoring at least one condition; and	See, e.g., p. 3, ll. 18–24; p. 10, ll. 5–12.
b. upon detecting the condition, transmitting or ceasing transmitting at least one control signal to the automatic response device that responds to the presence or absence of the control signal by performing a function;	See, e.g., p. 3, ll. 18–24.
wherein performing the function affects the position and/or orientation of the automatic response device.	See, e.g., p. 11, ll. 12–14; p. 14, ll. 4–9; Fig. 4, ref. 16.

Claim 11	PCT/US00/00168
The method of Claim 10, wherein monitoring at least one condition comprises monitoring at least one environmental condition.	See, e.g., p. 3, ll. 18–24.

Claim 12	PCT/US00/00168
The method of Claim 11, wherein monitoring at least one environmental condition comprises monitoring precursor conditions to at least one environmental condition.	See, e.g., p. 3, ll. 18–26.

Claim 13	PCT/US00/00168
The method of Claim 10, wherein monitoring at least one condition comprises monitoring notifications from a weather monitoring and notification service.	See, e.g., p. 9, ll. 3–7.
Claim 14	PCT/US00/00168
The method of Claim 10, wherein transmitting control signals comprises transmitting the control signals to different portions of a geographic area using different transmitters.	See, e.g., Fig. 1, ref. 12.
Claim 15	PCT/US00/00168
The method of Claim 14, wherein transmitting control signals comprises transmitting a common control signal to the different portions of the geographic area.	See, e.g., p. 8, l. 28 – p. 9, l. 1.
Claim 16	PCT/US00/00168
The method of Claim 10, wherein monitoring at least one condition comprises monitoring the absence of an environmental condition.	See, e.g., p. 3, ll. 18–26.

Because claims 1-16 are all entitled to the benefit of the filing dates of one or both of U.S. Provisional Application No. 60/114,832 and International Application No. PCT/US00/00168, Sweatt and Honeyman are not prior art to the rejected claims. As such, the undersigned respectfully requests the withdrawal of the §103 rejections to claims 1-16.

Appl. No. 10/672,589
Attorney Docket No. P0440/291762
Amdt. and Resp. to 3/9/2006 Office Action

CONCLUSION

The undersigned respectfully submits that all pending claims are in condition for allowance. No fees are believed to be due at this time, however, if that belief is incorrect, the undersigned authorizes any fees due to be charged to Deposit Account number 11-0855. If there are any matters that can be addressed by telephone, the Examiner is urged to contact the undersigned at (404) 815-6291.

Respectfully submitted,



Michael A. Bertelson
Reg. No. 54,713

KILPATRICK STOCKTON LLP
1100 Peachtree Street
Suite 2800
Atlanta, Georgia 30309-4530
Receptionist (404) 815-6500
Direct (404) 815-6291
Fax (404) 541-3467